

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 OCT 31 P 4: 28

CLERK *J. LaVictoire*
SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

PETER G. ARCHIBALD
BARBARA F. ARCHIBALD

CASE NO.: CR205-029

ORDER

On July 14, 2005, Peter G. Archibald and Barbara F. Archibald were indicted by a grand jury for the Southern District of Georgia for concealment of assets, making a false oath, and aiding and abetting. Count One of the indictment alleges that both Defendants, under the penalty of perjury, filed a voluntary bankruptcy petition and concealed assets from creditors and/or the United States Trustee. Count Two alleges that both Defendants aided and abetted each other in the filing of the aforementioned bankruptcy petition. Attorney Vincent D. Sowerby was retained to represent both Peter Archibald and Barbara Archibald. Sowerby appeared at the Initial Appearance and Arraignment held on August 2, 2005, representing both defendants. On that date, each Defendant executed a Waiver of Conflict of Interest.

On August 15, 2005, the Government filed a Motion for Inquiry Regarding Possible Conflict of Interest of Vincent Sowerby. After consideration, the undersigned entered an Order on August 30, 2005, determining that a conflict of interest existed which precluded Sowerby from representing both defendants. E. Jerry Ramsey was appointed to represent Barbara F. Archibald.

On August 21, 2005, the Government filed a Supplemental Motion For Inquiry Regarding Possible Conflict of Interest, addressing Vincent Sowerby's continued representation of Peter Archibald. At the hearing held on this motion, Barbara Archibald executed a second Waiver of Conflict of Interest.

Upon consideration of the Supplemental Motion for Inquiry Regarding Possible Conflict of Interest, the Court determines that there is no conflict which precludes Vincent Sowerby from continuing to represent Peter Archibald in this case.

SO ORDERED, this 31st day of October, 2005.



JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE